

THE STATE OF NEW HAMPSHIRE  
SUPERIOR COURT  
BELKNAP COUNTY

I, Abigail Albee, Clerk of the Superior Court of the State of New Hampshire for the County of Belknap, the same being a court of record having a seal, and having custody of the records of the said Superior Court, do hereby certify that the attached are true copies of the Complaint and Request for Jury Trial, Summons on Complaint, Acceptance of Service and Appearance of Thomas Closson and the Notice of Removal to Federal District Court in the action case # 211-2024-CV-00187 Bjorn Bruckshaw v. County of Carroll, Office of the Commissioners of said Superior Court.

In witness whereof I have hereunto set my hand  
and affixed the seal of said Superior Court at  
this Twenty-fifth day of October A.D. 2024



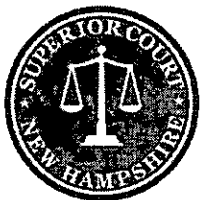
A handwritten signature in black ink, appearing to be "Abigail Albee".

Clerk of Superior Court

BELKNAP, SS.

STATE OF NEW HAMPSHIRE

SUPERIOR COURT



True Copy Attest

A handwritten signature in black ink, appearing to be "Abigail Albee".

Abigail Albee

Clerk of Court

October 25, 2024

Mr. Bjorn Bruckshaw  
147 Oak Street  
Laconia, NH 03246  
v.

County of Carroll  
Office of the Commissioners  
d/b/a Carroll County Department of Corrections  
95 Water Village Road  
Ossipee, NH 03864

Docket No. 211-2024-CV-00187**COMPLAINT AND REQUEST FOR JURY TRIAL**

NOW COMES, Bjorn Bruckshaw, Plaintiff, by and through his attorney, Law Office of Leslie H. Johnson, PLLC, and complains against, County of Carroll, and in support thereof states as follows:

**INTRODUCTION****PLAINTIFF REQUESTS A TRIAL BY JURY**

1. Plaintiff, Bjorn Bruckshaw, brings this action pursuant to the statutory and common laws of the State of New Hampshire and the United States, particularly New Hampshire's Law Against Discrimination, RSA 354-A, *et seq.* and the Americans with Disabilities Act (ADA), 42 U.S.C. §12101 *et seq.*, as amended (ADAAA, collectively with RSA 354-A referred to herein as the "ADA"), for disability discrimination, harassment/hostile environment, and for retaliation, both including termination; and also claims for malicious prosecution, abuse of process, defamation, wrongful discharge and whistleblowing. Plaintiff seeks to recover all damages as allowed by law, and all equitable relief to which he is entitled.

## **PARTIES**

2. Mr. Bjorn Bruckshaw (hereinafter, “Mr. Bruckshaw” or “Plaintiff”), is a resident of Laconia, New Hampshire, and was employed by Defendant Carroll County, as an employee of the Department of Corrections from on or about September 27, 2021 until on or about July 14, 2022, as a Corrections Officer. Mr. Bruckshaw is a person with disabilities who is entitled to protection under the ADA, and also NH RSA 354-A, New Hampshire’s Law Against Discrimination.

3. Mr. Bruckshaw is a person with disabilities, a record of disabilities, and perceived by Defendant to have disabilities. His disabilities stem from his service in the Army, Airborne Infantry.

4. Defendant Carroll County operates the Carroll County Department of Corrections, which is overseen by the Carroll County Commissioners. Both the County and Carroll County Department of Corrections will hereinafter be referred to as “Defendant”. The current Commissioners are Terry McCarthy, Chair; Chuck McGee, Vice Chair; and, Bill Nelson, Clerk.

5. Defendant is the employer and the covered entity for purposes of RSA 354-A, and the ADA, as it has more than 6/15 employees respectively.

6. Under the theories of *respondeat superior* and/or vicarious liability Defendant is responsible for all actions of its employees, named or unnamed herein, who at all times were acting within the scope of their employment, as well as their failures to act, and are also liable for its own actions and failures to act, including within the Carroll County Department of Corrections.

## **JURISDICTION & VENUE**

7. Venue and jurisdiction are proper as Mr. Bruckshaw lived in Belknap County at

all times he was employed by Defendant.

8. Mr. Bruckshaw filed a timely Charge of Discrimination with the New Hampshire Commission for Human Rights (“NHCHR”) ED(H)(R) 0030-23 / 16D-2023-00034, on November 23, 2022, which he withdrew on May 7, 2024.

9. On May 9, 2024, the EEOC issued its Notice of Right to Sue, which was received on May 13, 2024. This Complaint is filed within 90 days of Plaintiff’s receipt of the Notice of Right to Sue, and within three years of the accrual of the stated causes of action.

### **STATEMENT OF FACTS**

10. Mr. Bruckshaw was employed by Defendant as a corrections officer from on or about September 27, 2021 until July 14, 2022 when he was wrongfully terminated for discriminatory and retaliatory reasons.

11. Defendant was aware of Mr. Bruckshaw’s military service and that he suffered from PTSD due to same, as it was one of the first things Mr. Bruckshaw disclosed to them. Defendant was also aware of many of Mr. Bruckshaw’s other medical conditions and disabilities.

12. Despite not being properly trained for his job, because Defendant did not send him to the Academy, Mr. Bruckshaw always performed his job well and had a good working relationship with most of his co-workers.

13. Mr. Bruckshaw’s disabilities, some from combat, are PTSD , an injury to his arm (loss 40% use), migraines (once every 1-2 weeks), bilateral knees (bone on bone), tinnitus, and others. These disabilities, singly and/or in combination affect Mr. Bruckshaw by at times substantially limiting him in major life activities, such as performing some manual tasks, lifting, standing, walking, balancing, and thinking.

14. Mr. Bruckshaw was discriminated against, harassed, and/or retaliated against due to his disabilities including, but not limited to, the following listed incidents which are not all inclusive.

15. On or about March 9, 2022, Mr. Bruckshaw called over to control and kept getting hung up on. Because he was getting no response, which is obviously also a safety issue, he walked over to the control room and heard co-workers making fun of his combat injuries, which included Lt. King sitting in the middle of the group laughing. Mr. Bruckshaw's combat injuries were no laughing matter, and to witness Lt. King, who was supposed to be in charge, also making fun of his injuries/disabilities was very troubling to Mr. Bruckshaw.

16. Mr. Bruckshaw reported the incident to Sgt. Bachelder, Mr. Bruckshaw's shift leader, and informed him he was so upset he felt he needed to go home because the incident spiked his PTSD. Lt. King came into the meeting and Mr. Bruckshaw asked him why he did not stop the banter, but instead joined in. Lt. King got very upset and told Mr. Bruckshaw he did not care, and to go home.

17. Shortly after Mr. Bruckshaw reported the March 9, 2022 incident, he was told Defendant was pulling him from becoming the Taser Instructor because he was not "mentally fit" and that his PTSD would make Defendant "look bad".

18. On or about the end of May/beginning of June 2022, Lt. King falsely accused Mr. Bruckshaw of putting inappropriate messages on Officer Mendez's Facebook account; and told everyone he would fire whoever posted the messages. Lt. King then told Mr. Bruckshaw that he knew it was him that made the postings and as soon as he could prove it, Mr. Bruckshaw would be fired. Mr. Bruckshaw did not make the postings.

19. A female inmate kept harassing Mr. Bruckshaw by claiming he was sexually harassing her and telling other inmates to go along with her allegations so they could fire Mr. Bruckshaw. Mr. Bruckshaw reported the incidents, but nothing was ever done.

20. Captain Baker told Mr. Bruckshaw if he has “combat PTSD” that he should not be working for Defendant any longer, that the environment would just make things worse. Ironically, it was not primarily the inmates, but the employees and supervisors who were making things worse.

21. Approximately one week prior to June 11, 2022, Mr. Bruckshaw informed Sgt. Bachelder that an inmate (hereinafter referred to as “Inmate K”) kept threatening to kill him. He wrote a note and informed the administration that Inmate K had been threatening him for 3 or 4 weeks. Lt. King told Mr. Bruckshaw to “deal with it” and “suck it up”. This was after Mr. Bruckshaw had previously reported the same inmate had tried to put his hands on him.

22. The same week, Mr. Bruckshaw informed Defendant he was not comfortable with the fact the dayroom (jail/segregating) doors stopped working randomly along with the emergency intercom. Lt. King’s response to Mr. Bruckshaw was to “go find another job if you’re that much of a baby.” This complaint also constitutes whistleblowing, as it was an extreme safety issue and believed to be contrary to policies.

23. This situation (doors and radios) had apparently persisted for over one year, and the Lt. and Captain discussed an estimate of \$30,000.00 to fix the problem, but said it was too expensive. This placed all workers, and inmates at risk. When the dayroom doors did not work, the intercom did not work; so if a dayroom door did not work, everyone knew the intercom was not working, so no one could call for help. If the circuit blew a person had to go upstairs and

reset the breakers. This is believed to be why no one could hear Mr. Bruckshaw yelling for help when attacked by Inmate K.

24. That same week Mr. Bruckshaw asked Lt. King if they could talk about his safety concerns, Lt. King replied, "I don't have time for any of your complaints. You need to just do your job." Lt. King also stated, "90% of the complaints I'm dealing with are from you, and I'm sick and tired of it." Mr. Bruckshaw had submitted approximately five complaints, none of which were being addressed, to the best of his knowledge and belief.

25. Given Lt. King refused to address Mr. Bruckshaw's concerns, Mr. Bruckshaw emailed Captain Baker 2-3 times stating he wanted to speak to him with regard to his concerns, but these requests were all ignored.

26. Therefore, Mr. Bruckshaw decided to email the Superintendent requesting to meet about his concerns. A time and date were set to meet; however, the Superintendent failed to show, and when Mr. Bruckshaw emailed him again to reschedule his email was ignored.

27. On or about June 11, 2022, Mr. Bruckshaw was at work in Dayroom 4. All officers had been informed that Superintendent Eldridge required the inmates and officers to wear masks while in the Dayroom. Inmate K came into the Dayroom without a mask on.

28. Mr. Bruckshaw addressed Inmate K and informed him he had to wear a mask while out of his cell. Inmate K refused to wear a mask; therefore, Mr. Bruckshaw brought him back to his cell and informed Inmate K that he must stay in his locked cell until he complied with the mask rule. Mr. Bruckshaw reiterated to Inmate K that all he had to do was put the mask on, however he continued to refuse. Inmate K's response to Mr. Bruckshaw was, "go f... yourself".

29. Mr. Bruckshaw then attempted to shut the cell door; however, Inmate K kicked it wide open. Mr. Bruckshaw told Inmate K if he kicked the door again, he would be locked in for

the day. Mr. Bruckshaw then went to shut the cell door for a second time, and again Inmate K kicked it open.

30. Mr. Bruckshaw therefore went to call for backup; however Inmate K, grabbed his shirt, pulled him into the cell, grabbed his radio and tossed it so Mr. Bruckshaw could not reach it. For approximately 3-4 minutes Inmate K attacked Mr. Bruckshaw while Mr. Bruckshaw attempted to restrain him while yelling for help. With no one being able to hear Mr. Bruckshaw because the intercom system was not working, a common occurrence, he had no means of getting help from the assault by the inmate who had repeatedly threatened to kill him.

31. Mr. Bruckshaw eventually got himself and Inmate K outside of the cell so others, including the nurse, could see the distress he was in. Officer Temple finally came to assist him and radioed for additional assistance.

32. Inmate K continued to be combative, yelling and screaming that he was going to kill Mr. Bruckshaw and "break [his] skinny neck". It took two more officers (a total of four) to finally restrain Inmate K and handcuff him. Inmate K was then taken to be checked out by the nurse who confirmed he had no injuries. However, when Mr. Bruckshaw was checked out by the nurse it was found he had a bite mark on his arm from Inmate K, and was sent to the emergency room.

33. After Mr. Bruckshaw returned from the emergency room, he was informed Inmate K had continued to bang on the cell bars, scream and threaten to kill Mr. Bruckshaw the rest of the day.

34. Inmate K is a violent individual who had also posted an online review against the Manitowoc City Police Department stating, "I hope this corrupt place gets shot up. Disgusting behavior from this PD."



35. On or about June 15, 2022, during Mr. Bruckshaw's next shift after the incident with Inmate K, he was immediately called into Major Bachelder's office, with Lt. King present. Lt. King told him that he was being placed on two weeks' administrative leave for using too much force in restraining Inmate K, and that Defendant would investigate the matter. However, Mr. Bruckshaw saw within the paperwork that it appeared Defendant was also trying to investigate him on numerous other fabricated allegations.

36. Mr. Bruckshaw later learned Defendant told other officers he was being placed on administrative leave before he was even talked to and informed, and that an email was sent out informing everyone if Mr. Bruckshaw came on the property to arrest him. This was highly irregular, and believed to be against policy, as well as highly discriminatory and retaliatory.

37. Approximately 1.5 weeks later, Mr. Bruckshaw was contacted by Lt. King to come in and sign some paperwork. Mr. Bruckshaw stated he wanted a Union Representative and an attorney present. Lt. King replied that was not needed because, "you're only signing paperwork." Mr. Bruckshaw was not comfortable with that response.

38. A few days later Lt. King called Mr. Bruckshaw again, and again Mr. Bruckshaw stated he wanted a Union Representative and an attorney present. A few days later Lt. King called Mr. Bruckshaw for a third time and left a message stating if Mr. Bruckshaw did not contact him by 11:30 am, he would consider him terminated.

39. After retrieving the message, Mr. Bruckshaw returned Lt. King's call shortly after 11:30 am and left a voicemail, with no response. Mr. Bruckshaw thought he may have been terminated.

40. Approximately one week later, Mr. Bruckshaw received a certified letter stating he must report to Defendant for an investigative interview or he would be fired. His return call referenced above had still not been responded to.

41. Pursuant to the directives in the letter, Mr. Bruckshaw went to the interview. He was called into Captain Baker's office with Lt. King and a union representative present, however, the union representative was only allowed to take notes. He was uncomfortable with participating in the investigation since Defendant already told him he would be fired and therefore Defendant's mind was already made up. Lt. King admitted same, but stated, "well you're still being paid".

42. The investigation continued, however, Mr. Bruckshaw was never asked about the bite mark and how it occurred, instead Lt. King phrased all questions trying to blame Mr. Bruckshaw for everything that occurred. It was very clear Defendant had already made up their minds and nothing Mr. Bruckshaw could have said in the interview was going to change things.

43. Approximately five days after the "interview", Mr. Bruckshaw received a certified letter dated July 14, 2022, stating he was terminated and that Defendant was going to press criminal charges against him.

44. Upon information and belief, Defendant sent out an email to all staff informing them Mr. Bruckshaw was no longer employed there. This email was sent prior to Mr. Bruckshaw knowing he was terminated. Furthermore, as it was a personnel matter, it should have been kept private.

45. Upon information and belief Defendant, primarily through Lt. King, did not perform a proper investigation, failing to speak with the nurse who was there and witnessed much of the events, failing to speak with the individual in charge of the security cameras, and

failing to review Inmate K's file, which should have contained prior notes reporting his repeated threats to kill Mr. Bruckshaw. Instead, upon information and belief, Lt. King interviewed Inmate K with leading questions to ascertain answers Lt. King wanted to hear, such as "so he strangled you, correct?"

46. Defendant tried to bring charges against Mr. Bruckshaw with the Sheriff's Department, which declined to prosecute, after having gone to Mr. Bruckshaw's house to interview him. Lt. King got mad when Mr. Bruckshaw told him the Sheriff was not going to charge him.

47. The actions described herein, and as experienced by Mr. Bruckshaw, constituted harassment and retaliation primarily on the basis of his disability, contrary to RSA 354-A, *et seq.* and the ADA, and for complaining about discrimination as well as making complaints that constituted whistleblowing.

48. Mr. Bruckshaw was qualified for his job and was able to perform same without reasonable accommodations.

49. Defendant was hostile towards Mr. Bruckshaw because of his disabilities, and treated him less favorably than others, and held him to a higher standard, not terminating or even substantially investigating multiple employees who actually committed assaults and severe misconduct; for example:

a. Upon information and belief, a female, African American officer had approximately 25-30 write-ups but no disciplinary action or termination. Mr. Bruckshaw was treated differently based upon his disabilities and whistleblowing.

b. On or about January or February 2022, another officer, who did not appear to have disabilities, Officer S., tossed a minority young woman into a cell uncontrollably,

causing the female inmate to smack her head so hard on the ground she may have suffered a concussion. However, there was no investigation, and the officer never got in trouble.

50. After the Sheriff declined to prosecute, because Mr. Bruckshaw was obviously innocent, Defendant did a sham and pretextual investigation of Mr. Bruckshaw's incident with inmate K by an allegedly outside person; however, that person appeared to be personal friends with Superintendent Eldridge, as he was seen going to lunch with him. The result of this investigation was reported to Mr. Bruckshaw by email from HR on November 3, 2022.

51. On the same day Mr. Bruckshaw received the investigation results he received a letter stating he was terminated and was told he was ineligible for rehire.

52. On March 17, 2023, Mr. Bruckshaw was indicted for Second Degree Assault, which was discriminatory, and retaliatory on multiple bases.

53. Upon information and belief, Superintendent Eldridge pulled a paper off the printer or fax machine while in a public area of the office and exclaimed, "Guess who got indicted today!" and then showed those present the paperwork where Mr. Bruckshaw was indicted.

54. On or about June 1, 2023, during his criminal pre-trial conference, the Judge presiding over the hearing viewed the video surveillance of the June 11, 2022 incident, determined there was no assault by Mr. Bruckshaw, dismissed the case, and reprimanded the prosecutor for even bringing the case forward. Bringing the charge also constituted malicious prosecution and abuse of process.

55. Defendant also retaliated against Mr. Bruckshaw because he complained about issues occurring at the facility including the intercom not working and the day room doors not

working properly.

56. Defendant falsely accused Mr. Bruckshaw of criminal actions, when it knew there were no criminal actions by Mr. Bruckshaw. Mr. Bruckshaw believes these frivolous and malicious charges were brought due to discrimination related to his disabilities, and retaliation for complaining about same, as well as whistleblowing, and with the intent to ruining any chances he had to have a career in law enforcement.

57. On July 13, 2022, Mr. Bruckshaw had received an email from a potential employer, notifying him he had been hired for a position as a security guard and that he needed to complete the onboarding process.

58. However, on August 31, 2022, this same employer, after apparently contacting Defendant for a job reference, emailed Mr. Bruckshaw rescinding their offer of employment based on “your ineligibility for rehire with your last employer.”

59. Defendant’s discrimination and retaliation against Mr. Bruckshaw has made it very difficult, if not impossible, for him to find a regular part time or full time job.

60. Due to being wrongfully terminated as well as the criminal action brought by Defendant, Mr. Bruckshaw’s custody of his child has been greatly impacted and continues to be impacted. Mr. Bruckshaw has had to needlessly expend money in attorney fees, as well as stress and anxiety in order to fight for his custody rights, which custodial proceedings would not have been necessary, or greatly reduced in scope, but for Defendant’s actions.

61. The actions by Defendant as described herein, and as experienced by Mr. Bruckshaw, were intentional, malicious, done with deliberate indifference, knowing, oppressive, wanton, reckless, negligent and/or grossly negligent.

62. Mr. Bruckshaw claims all damages allowed to him by law including, but not

limited to, general compensatory damages, liberal/enhanced compensatory damages, punitive damages, lost wages and benefits (past and future), damages for emotional distress, embarrassment, humiliation, aggravation, anxiety, medical treatment and expenses, physical pain and suffering, loss of enjoyment of life, loss of reputation, attorney fees (including attorney fees for his custody rights and criminal defense), costs, all pre-judgment interest, and an amount to compensate for any negative tax consequences that result from any judgment or decision.

63. Mr. Bruckshaw also requests all equitable relief to which he may be entitled including, but not limited to, training for Defendant's employees in the laws on harassment, discrimination and retaliation; and discipline and/or termination of the employees who harassed, discriminated and retaliated against him.

**COUNT I**  
**NH RSA 354-A and**  
**AMERICANS WITH DISABILITIES ACT (42 U.S.C. § 12101 et seq.),**  
**as amended (ADAAA)**  
**DISABILITY DISCRIMINATION/HARASSMENT**  
**HOSTILE WORK ENVIRONMENT**

64. Mr. Bruckshaw incorporates herein each and every allegation raised elsewhere in the Complaint as if fully set forth herein and further states as follows:

65. Mr. Bruckshaw asserts that the treatment he received, as described herein, was because of his disabilities.

66. Mr. Bruckshaw was impermissibly discriminated against based on his disabilities, including his termination, and harassed in a manner that was severe and/or pervasive and constituted a hostile environment based on disability, such that no reasonable person would be expected to endure, all contrary to NH RSA 354-A and the ADA.

67. Defendant knew, or should have known, that its actions described herein were illegal. Defendant's actions were contrary to the law and done knowingly, maliciously, with

reckless indifference and were egregious and wanton, thus justifying an award of enhanced/liberal compensatory damages.

68. Mr. Bruckshaw claims the disability discrimination/harassment and hostile work environment, with termination, has caused him damages as set forth herein.

69. Mr. Bruckshaw claims all damages allowed by law, and all equitable relief to which he is entitled.

**COUNT II  
RETALIATION  
NH RSA 354-A, et seq. and the ADA**

70. Mr. Bruckshaw incorporates herein each and every allegation elsewhere in the Complaint as if fully set forth herein, and further states as follows:

71. Mr. Bruckshaw was retaliated against for his complaints of harassment and discrimination, as described above, including false criminal charges, actions resulting in his assault, and his termination, which was contrary to NH RSA 354-A, et seq. and the ADA.

72. As a result of the retaliation, Mr. Bruckshaw has suffered the damages as alleged herein.

73. Mr. Bruckshaw claims all damages allowed by law, and all equitable relief to which he is entitled.

**COUNT III  
NH RSA 275-E, ET SEQ.  
WHISTLEBLOWER'S PROTECTION ACT**

74. Mr. Bruckshaw incorporates herein each and every allegation elsewhere in the Complaint as if fully set forth herein, and further states as follows:

75. Mr. Bruckshaw reported what he believed were serious violations of the law, rules and regulations by Defendant including safety issues and discrimination, as set forth above.

76. Defendant violated RSA 275-E et seq., including but not limited to RSA 275-E:2, as Defendant harassed, abused, intimidated, and/or threatened Mr. Bruckshaw in the terms, conditions, location, and/or privileges of employment, including his assault, and false criminal charges, as well as his wrongful discharge.

77. As a result of Defendant's violation of the Whistleblower's Protection Act Mr. Bruckshaw has suffered damages as described elsewhere herein.

78. Mr. Bruckshaw claims all damages allowed by law, and all equitable relief to which he is entitled.

#### **COUNT IV WRONGFUL DISCHARGE**

79. Mr. Bruckshaw incorporates herein each and every allegation raised elsewhere in the Complaint as if fully set forth herein and further states as follows:

80. As encouraged by public policies, Mr. Bruckshaw reported various violations of laws, rules, and regulations to Defendant as described above, including safety issues, and discrimination, which violated the ADA and 354-A.

81. As a result of his complaints, Mr. Bruckshaw was harassed and retaliated against, and the terms and conditions of his employment were affected, which included his assault, wrongful prosecution, and his termination.

82. Mr. Bruckshaw claims said wrongful discharge has caused him damages as set forth herein.

83. Mr. Bruckshaw also claims all damages as allowed by law, and all equitable relief to which he is entitled.



**COUNT V  
MALICIOUS PROSECUTION**

84. Mr. Bruckshaw incorporates herein each and every allegation raised elsewhere in the Complaint as if fully set forth herein and further states as follows:

85. As described above, Defendant maliciously prosecuted Mr. Bruckshaw by filing a criminal complaint for actions which they knew were unfounded.

86. Defendant made a false criminal complaint, regarding Mr. Bruckshaw's conduct on June 11, 2022, while Mr. Bruckshaw was trying to subdue Inmate K who was attacking him, and had repeatedly threatened to kill him.

87. Defendant's prosecution of Mr. Bruckshaw constitutes malicious prosecution, as the charges were obviously false, and arose out of malicious, oppressive and/or wanton motivations of Defendant, as described herein.

88. Defendant's arrest of Mr. Bruckshaw was apparently against the Carroll County Sheriff's Department's advice as outlined above, and yet they still pursued it.

89. Defendant's motivations were not for a lawful prosecution, but to prohibit Mr. Bruckshaw from his livelihood as a corrections officer, and as a pretense for terminating him, a person with disabilities from combat, for which they had expressed disdain and that he should not be working there. Said arrest and prosecution also has impeded Mr. Bruckshaw from pursuing other employment.

90. Defendant's actions as described herein have caused Mr. Bruckshaw damages which are within the jurisdictional limits of this Court, as described elsewhere herein.

91. Mr. Bruckshaw claims all damages as allowed by law and all equitable relief to which he is entitled.

**COUNT VI  
ABUSE OF PROCESS**

92. Mr. Bruckshaw incorporates herein each and every allegation raised elsewhere in the Complaint as if fully set forth herein and further states as follows:

93. As noted just above, Defendant's arrest and threats to Mr. Bruckshaw constitute malicious prosecution.

94. In addition, Defendant used its criminal allegations as a way to harass and retaliate against Mr. Bruckshaw for his disabilities and whistleblowing and involved law enforcement, which is not a proper exercise of police authority.

95. The purpose of the prosecution was improper: it was to terminate Mr. Bruckshaw from employment, and to further discriminate against him, knowing that his reputation and ability to find work would be severely impacted.

96. Defendant also knew that Mr. Bruckshaw had PTSD, had a clean record, was an Army combat Veteran, and likely took his reputation seriously and would be scarred by being arrested and prosecuted; they did not care as evident from them having repeatedly mocked his service and disabilities.

97. Defendant's actions as described herein have caused Mr. Bruckshaw damages which are within the jurisdictional limits of this Court, as described elsewhere herein.

98. Mr. Bruckshaw claims all damages as allowed by law and all equitable relief to which he is entitled.

**COUNT VII  
DEFAMATION**

99. Mr. Bruckshaw incorporates herein each and every allegation raised elsewhere in the Complaint as if fully set forth herein and further states as follows:

100. Defendant's reports to anyone that Mr. Bruckshaw's actions were criminal was known to be false by them, and done with malicious and other bad motives as described elsewhere herein.

101. There is no immunity or privilege for knowingly making a false report to law enforcement, whether verbally or in writing.

102. Said defamatory material was then repeated to others including, but not limited to, the grand jury, county attorney, potentially newspapers, and otherwise republished, all for which Defendant is responsible.

103. Said false reporting and allegations are defamation *per se*, as it accused Mr. Bruckshaw of a crime.

104. Said allegations were done maliciously, knowingly and wilfully as they were known by them to be false, and they were done for the aforesaid improper purposes.

105. Said statements were false and intended to attack Mr. Bruckshaw and lower him in the esteem of the community, which they did, causing damage to his reputation and preventing him from securing other employment.

106. Defendant is liable for its defamation of Mr. Bruckshaw, and for all republication by others.

106. Defendant's actions as described herein have caused Mr. Bruckshaw damages which are within the jurisdictional limits of this Court, as described elsewhere herein.

107. Mr. Bruckshaw claims all damages as allowed by law and all equitable relief to which he is entitled.

WHEREFORE, Mr. Bruckshaw respectfully prays this Honorable Court and/or a jury order the following relief against Defendants, as requested above under each count:

A. Back wages, together with lost fringe benefits and any other benefits, including increased retirement benefits, which Mr. Bruckshaw would have earned had he not been terminated;

B. Future wages, fringe benefits, loss of earning capacity and other benefits;

C. Compensatory damages;

D. Enhanced/liberal compensatory damages;

E. Punitive damages;

F. An amount to be awarded by the Court to make up for any adverse tax consequences due to any judgment or award;

G. All damages which are available under the above-cited laws and the common law;

H. All available pre-judgment and post-judgment interest;

I. Reasonable attorneys' fees, interest and costs;

J. All damages as set forth above; and

K. Such other and further relief as is just and equitable.

Respectfully submitted,  
**BJORN BRUCKSHAW, Plaintiff**  
By his attorney

Dated: August 9, 2024

/s/ LESLIE H. JOHNSON  
Leslie H. Johnson, Esquire - #5545  
LAW OFFICE OF LESLIE H. JOHNSON, PLLC  
PO Box 265  
Center Sandwich NH 03227  
603.284.6600  
leslie@lesliejohnsonlaw.com

**THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH  
SUPERIOR COURT**

Belknap Superior Court  
64 Court St.  
Laconia NH 03246

Telephone: 1-855-212-1234  
TTY/TDD Relay: (800) 735-2964  
<https://www.courts.nh.gov>

**SUMMONS IN A CIVIL ACTION**



Case Name: **Bjorn Bruckshaw v County of Carroll, Office of the Commissioners**  
Case Number: **211-2024-CV-00187**

Date Complaint Filed: August 09, 2024

A Complaint has been filed against County of Carroll, Office of the Commissioners in this Court. A copy of the Complaint is attached.

**The Court ORDERS that ON OR BEFORE:**

September 30, 2024 Bjorn Bruckshaw shall have this Summons and the attached Complaint served upon County of Carroll, Office of the Commissioners by in hand or by leaving a copy at his/her abode, or by such other service as is allowed by law.

October 21, 2024 Bjorn Bruckshaw shall electronically file the return(s) of service with this Court. Failure to do so may result in this action being dismissed without further notice.

30 days after Defendant is served County of Carroll, Office of the Commissioners must electronically file an Appearance and Answer or other responsive pleading form with this Court. A copy of the Appearance and Answer or other responsive pleading must be sent electronically to the party/parties listed below.

**Notice to County of Carroll, Office of the Commissioners:** If you do not comply with these requirements you will be considered in default and the Court may issue orders that affect you without your input.

**Send copies to:**

Leslie Hughes Johnson, ESQ

County of Carroll, Office of the  
Commissioners

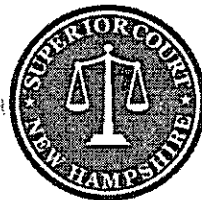
Law Office of Leslie H Johnson PLLC 46 Holderness Road PO  
Box 265 Center Sandwich NH 03227  
95 Water Village Road Ossipee NH 03864


True Copy Attest

**BY ORDER OF THE COURT**

August 16, 2024

(1082)



  
Abigail Albee  
Clerk of Court  
October 25, 2024

Abigail Albee  
Clerk of Court

**THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH  
SUPERIOR COURT**

Belknap Superior Court  
64 Court St.  
Laconia NH 03246

Telephone: 1-855-212-1234  
TTY/TDD Relay: (800) 735-2964  
<https://www.courts.nh.gov>

**BJORN BRUCKSHAW  
INSTRUCTIONS FOR SERVICE  
BY THE SHERIFF'S DEPARTMENT**

Case Name: **Bjorn Bruckshaw v County of Carroll, Office of the Commissioners**  
Case Number: **211-2024-CV-00187**

**Instructions for: Bjorn Bruckshaw**

The attached Summons must be sent to the Sheriff's Department for service. Service must be completed on or before **September 30, 2024**.

**Further action is required by you**

**You must:**

- Print two copies of the Summons per defendant
- Print two copies of the Notice to Defendant per defendant
- Print two copies of the Complaint filed with the Court per defendant
- Make two packets for service. Each packet should contain:
  - One Summons
  - Once Notice for Defendant
  - One Complaint filed with the Court
- Mail or hand deliver the packets to the Sheriff's Department in the county where each defendant resides.

**Sheriff Departments in New Hampshire:**

Belknap County Sheriff's Department:

Carroll County Sheriff's Department:

Cheshire County Sheriff's Department:

Coos County Sheriff's Department:

Grafton County Sheriff's Department:

Hillsborough County Sheriff's Department:

Merrimack County Sheriff's Department:

Rockingham County Sheriff's Department:

Strafford County Sheriff's Department:

Sullivan County Sheriff's Department:

**\*If one or more of the parties resides out of state, please click [here](#) for the requirements\***

Service must be made upon the defendant before **September 30, 2024**.

If the Sheriff is unable to complete service by **September 30, 2024** you will receive a "Notice of Incomplete Service" from the Sheriff's Department. You may request that new paperwork be issued by electronically filing a Request for Documents. There is a fee for this request.

The Sheriff will mail the 'Return of Service' to you. You **MUST** electronically file the 'Return of Service' with the court by October 21, 2024.

**If service is not made as directed, no further action will occur and the case may be dismissed by the court.**

# Important Service Information for Sheriff

Do not file this with the court

Provide this information to the Sheriff's Department.

See Instructions for Service for more information.

**PLEASE PRINT CLEARLY**

Date: \_\_\_\_\_

Case #: \_\_\_\_\_

**Who are you requesting to be served?**

Please provide whatever information you know

Name: \_\_\_\_\_

Address for service (no P.O. boxes):

\_\_\_\_\_ APT #: \_\_\_\_\_

\_\_\_\_\_

Home phone #: \_\_\_\_\_ Cell phone #: \_\_\_\_\_

Sex: ☐ Male ☐ Female

Race: \_\_\_\_\_

Last 4 digits of SS#: xxx-xx- \_\_\_\_\_ D.O.B. \_\_\_\_\_

Work name & address:

\_\_\_\_\_

Special instructions for service (i.e. directions, best time to serve, cautions, etc.):

\_\_\_\_\_

\_\_\_\_\_

Vehicle description/license plate:

\_\_\_\_\_

**Your Information:**

Name (please print): \_\_\_\_\_

Residential address:

Mailing address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone number to contact you during business hours:

\_\_\_\_\_ Alternate #: \_\_\_\_\_

\_\_\_\_\_  
Signature

◆IN-HAND SERVICE WILL INCUR EXTRA COSTS DUE TO ADDITIONAL TRAVEL◆

**SHERIFF OFFICE USE ONLY: (This will vary by Sheriff's Office)**

Fees Paid: \$ _____	Cash #: _____	Check#: _____
Id#: _____	Waiver: _____	Money Order#: _____
Sheriff File # _____	Authorization #: _____	Credit Card: _____

**Instructions for filing the Return of Service:**

If you are working with an attorney, they will guide you on the next steps. If you are going to represent yourself in this action, go to the court's website: [www.courts.nh.gov](http://www.courts.nh.gov), select the Electronic Services icon and then select the option for a self-represented party.

1. Select "I am filing into an existing case". Enter 211-2024-CV-00187 and click Next.
2. When you find the case, click on the link follow the instructions on the screen. On the "What would you like to file?" screen, select "File Other Document" and choose "Return of Service".
3. Scan the Return of Service packet and follow the instructions in the electronic filing program to upload the Return of Service to complete your filing.
4. If the sheriff was unable to serve the paperwork, you can request new paperwork by filing a Request for Documents. On the "What would you like to file?" screen, select "File Other Document" and choose "Request for Reissued Summons" from the menu and upload the Request for Documents form.

**FAILURE TO FILE THESE DOCUMENTS MAY RESULT IN YOUR CASE BEING DISMISSED.**

August 16, 2024

Date

Abigail Albee

Clerk of Court

You can access documents electronically filed through our Case Access Portal by going to <https://odypa.nhecourt.us/portal> and following the instructions in the User Guide. In that process you will register, validate your email, request access and approval to view your case. After your information is validated by the court, you will be able to view case information and documents filed in your case.



**THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH  
SUPERIOR COURT**

Belknap Superior Court  
64 Court St.  
Laconia NH 03246

Telephone: 1-855-212-1234  
TTY/TDD Relay: (800) 735-2964  
<https://www.courts.nh.gov>

**NOTICE TO DEFENDANT**

Case Name: **Bjorn Bruckshaw v County of Carroll, Office of the Commissioners**  
Case Number: **211-2024-CV-00187**

You have been served with a Complaint which serves as notice that this legal action has been filed against you in the **Belknap Superior Court**. Review the Complaint to see the basis for the Plaintiff's claim.

Each Defendant is required to electronically file an Appearance and Answer 30 days after service. You may register and respond on any private or public computer. For your convenience, there is also a computer available in the courthouse lobby.

If you are working with an attorney, they will guide you on the next steps. If you are going to represent yourself in this action, go to the court's website: [www.courts.nh.gov](http://www.courts.nh.gov), select the Electronic Services icon and then select the option for a self-represented party.

1. Complete the registration/log in process. Click Register and follow the prompts.
2. After you register, click Start Now. Select **Belknap Superior Court** as the location.
3. Select "I am filing into an existing case". Enter **211-2024-CV-00187** and click Next.
4. When you find the case, click on the link and follow the instructions on the screen. On the "What would you like to file?" screen, select "File a Response to Civil Complaint". Follow the instructions to complete your filing.
5. Review your Response before submitting it to the court.

**IMPORTANT:** After receiving your response and other filings the court will send notifications and court orders electronically to the email address you provide.

A person who is filing or defending against a Civil Complaint will want to be familiar with the Rules of the Superior Court, which are available on the court's website: [www.courts.nh.gov](http://www.courts.nh.gov).

Once you have registered and responded to the summons, you can access documents electronically filed by going to <https://odypa.nhecourt.us/portal> and following the instructions in the User Guide. In that process you will register, validate your email, request access and approval to view your case. After your information is validated by the court, you will be able to view case information and documents filed in your case.

If you have questions regarding this process, please contact the court at 1-855-212-1234.

**THE STATE OF NEW HAMPSHIRE**  
**JUDICIAL BRANCH**  
<http://www.courts.state.nh.us>

Court Name: Belknap Superior Court  
Case Name: Bjorn Bruckshaw v. County of Carroll, Office of the Commissioners  
Case Number: 211-2024-CV-00187  
(if known)

**ACCEPTANCE OF SERVICE**

**Acceptance of Service:** (Select One)

☒ Counsel for the following defendant(s):

County of Carroll, Office of the 95 Water Village Road, Ossipee, NH 03864

<u>(Name)</u>	<u>(Address)</u>	<u>(Telephone Number)</u>
---------------	------------------	---------------------------

Commissioners

<u>(Name)</u>	<u>(Address)</u>	<u>(Telephone Number)</u>
---------------	------------------	---------------------------

<u>(Name)</u>	<u>(Address)</u>	<u>(Telephone Number)</u>
---------------	------------------	---------------------------

☐ I will be representing myself (self-represented party),

and waive(s) all formalities of service, accept(s) service of the Summons issued by the Court in this case and enter(s) the following appearance:

**Type of Appearance:** (Select One)

☒ Appearance ☐ Limited Appearance

If limited appearance, describe scope of representation:

---

---

---

---

---

---

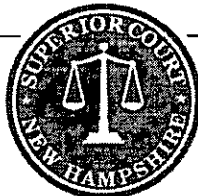
---

---

---

---

True Copy Attest



Abigail Albee  
Clerk of Court  
October 25, 2024

Case Name: Bjorn Bruckshaw v. County of Carroll, Office of the CommissionersCase Number: 211-2024-CV-00187**ACCEPTANCE OF SERVICE****For non e-filed cases:**

I state that on this date I am ☐ mailing by U.S. mail, or ☐ Email (only when there is a prior agreement of the parties to use this method), or ☐ hand delivering a copy of this document to:

\_\_\_\_\_ or \_\_\_\_\_  
 Other party Other party's attorney

**OR****For e-filed cases:**

☒ I state that on this date I am sending a copy of this document as required by the rules of the court. I am electronically sending this document through the court's electronic filing system to all attorneys and to all other parties who have entered electronic service contacts (email addresses) in this case. I am mailing or hand-delivering copies to all other interested parties.

Thomas M. Closson

Name of Filer

Law Office of Thomas Closson 9966

Law Firm, if applicable Bar ID # of attorney

379 Amherst Street, Suite 2

Address

Nashua NH 03064

City State Zip code

/s/ Thomas M. Closson09/26/2024

Signature of Filer

Date

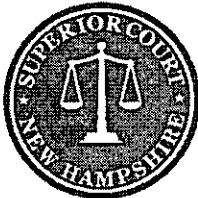
(603) 759-6614

Telephone

thomas.closson@nhlaborlaw.com

E-mail

BELKNAP, SS

THE STATE OF NEW HAMPSHIRE  
SUPERIOR COURTBJORN BRUCKSHAW  
Plaintiff

v.

True Copy Attest

COUNTY OF CARROLL,  
OFFICE OF THE COMMISSIONERS  
DefendantAbigail Albee  
Clerk of Court

Case Number 211-2024-CV-00187

October 25, 2024

**NOTICE TO COURT OF FILING OF**  
**NOTICE OF REMOVAL TO FEDERAL DISTRICT COURT**

PLEASE TAKE NOTICE that the Defendant, County of Carroll, Office of the Commissioners, did, on October 24, 2024, file in the United States District Court for the District of New Hampshire the attached Notice of Removal (Exhibit #1). Pursuant to 28 U.S.C. §1446(d), this Court "shall proceed no further unless and until the case is remanded." By this pleading, the Defendant further requests that this Court prepare a certified copy of the complete record in this case for transmittal to the United States District Court for the District of New Hampshire.

Respectfully submitted,  
County of Carroll, Office of the Commissioners

By its Attorney,

Dated: October 24, 2024

/s/ Thomas M. Closson  
Thomas M. Closson, Esq.  
NH Bar #9966  
Thomas M. Closson, Attorney At Law, PLLC  
379 Amherst Street, Suite #2  
PMB #231  
Nashua, New Hampshire 03063  
603-759-6614  
Thomas.closson@nhlaborlaw.com

**CERTIFICATE OF SERVICE**

I hereby certify that on this day a copy of this pleading was electronically filed with the Court and served via U.S. Mail and electronic mail on the following counsel of record:

Leslie H. Johnson, Esq.  
Law Office of Leslie H. Johnson PLLC  
46 Holderness Road  
PO Box 265  
Center Sandwich, New Hampshire 03864  
leslie@lesliejohnsonlaw.com

Dated: October 24, 2024

/s/ Thomas M. Closson  
Thomas M. Closson, Esq.  
NH Bar #9966

# EXHIBIT 1

To The Notice To The Belknap County Superior Court  
Of Removal

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

BJORN BRUCKSHAW,

Plaintiff,

v.

COUNTY OF CARROLL,  
OFFICE OF THE COMMISSIONERS,

Defendant.

Case No.1:24-cv-343

**DEFENDANT COUNTY OF CARROLL,  
OFFICE OF THE COMMISSIONERS' NOTICE OF REMOVAL**

NOW COMES the Defendant, County of Carroll, Office of the Commissioners, and hereby removes this action from the Belknap County Superior Court – State of New Hampshire to the United States District Court for the District of New Hampshire. This Notice of Removal is supported by the following facts.

1. The Plaintiff filed his Complaint in the Belknap County Superior Court – State of New Hampshire (Case Number 211-2024-CV-00187) on August 9, 2024. A copy of the Complaint is filed herewith as Exhibit 1.
2. Counsel for the Defendant accepted service of the Complaint on September 26, 2024.
3. The Complaint raises claims under both New Hampshire's Law Against Discrimination, NH RSA 354-A, and the federal Americans with Disabilities Act, 42 U.S.C. §12101, *et seq.* ("the ADA").
4. Pursuant to the provisions of 28 U.S.C §1331, this Court has original jurisdiction over

the Plaintiff's claims under the ADA. Additionally, pursuant to the provisions of 28 U.S.C. §1367, this Court has supplemental jurisdiction over the Plaintiff's state law claims.

5. Pursuant to 28 U.S.C. §1446(d), a copy of the Notice of Removal provided to counsel for the Plaintiff is filed herewith as Exhibit 2. Pursuant to 28 U.S.C. §1446(d), a copy of the Notice of Removal provided to Belknap County Superior Court – New Hampshire is filed herewith as Exhibit 3.

6. The Civil Cover Sheet is filed herewith as Exhibit 4.

7. Pursuant to this Court's Local Rule 81.1(c), the Defendant is also requesting a certified copy of the State Court Record and will file same with this Court upon receipt.

8. The Defendant has not yet filed an answer or a responsive pleading in this action.

9. For the foregoing reasons, this action is properly removed to this Court pursuant to the provisions of 28 U.S.C §1331, 28 U.S.C. §1367, 28 U.S.C. §1441, and 28 U.S.C. §1446.

WHEREFORE the County of Carroll, Office of the Commissioners removes this action from the Belknap County Superior Court to the United States District Court for the District of New Hampshire, pursuant to the provisions of 28 U.S.C §1331, 28 U.S.C. §1367, 28 U.S.C. §1441, and 28 U.S.C. §1446.

Respectfully submitted,  
County of Carroll, Office of the Commissioners  
By its Attorney,

Dated: October 24, 2024

/s/ Thomas M. Closson  
Thomas M. Closson, Esq.  
NH Bar #9966  
Thomas M. Closson, Attorney At Law, PLLC  
379 Amherst Street, Suite #2  
PMB #231  
Nashua, New Hampshire 03063  
603-759-6614  
Thomas.closson@nhlaborlaw.com



**CERTIFICATE OF SERVICE**

I hereby certify that on this day a copy of this pleading was electronically filed with the Court and served via U.S. Mail and electronic mail on the following counsel of record:

Leslie H. Johnson, Esq.  
Law Office of Leslie H. Johnson PLLC  
46 Holderness Road  
PO Box 265  
Center Sandwich, New Hampshire 03864  
leslie@lesliejohnsonlaw.com

Dated: October 24, 2024

/s/ Thomas M. Closson  
Thomas M. Closson, Esq.  
NH Bar #9966

## EXHIBIT 1

To The Notice Of Removal Filed With The  
U.S. District Court For The District Of New Hampshire

**THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH  
SUPERIOR COURT**

Belknap Superior Court  
64 Court St.  
Laconia NH 03246

Telephone: 1-855-212-1234  
TTY/TDD Relay: (800) 735-2964  
<https://www.courts.nh.gov>

**SUMMONS IN A CIVIL ACTION**



Case Name: **Bjorn Bruckshaw v County of Carroll, Office of the Commissioners**  
Case Number: **211-2024-CV-00187**

Date Complaint Filed: August 09, 2024

A Complaint has been filed against County of Carroll, Office of the Commissioners in this Court. A copy of the Complaint is attached.

**The Court ORDERS that ON OR BEFORE:**

September 30, 2024	Bjorn Bruckshaw shall have this Summons and the attached Complaint served upon County of Carroll, Office of the Commissioners by in hand or by leaving a copy at his/her abode, or by such other service as is allowed by law.
October 21, 2024	Bjorn Bruckshaw shall electronically file the return(s) of service with this Court. Failure to do so may result in this action being dismissed without further notice.
30 days after Defendant is served	County of Carroll, Office of the Commissioners must electronically file an Appearance and Answer or other responsive pleading form with this Court. A copy of the Appearance and Answer or other responsive pleading must be sent electronically to the party/parties listed below.

**Notice to County of Carroll, Office of the Commissioners:** If you do not comply with these requirements you will be considered in default and the Court may issue orders that affect you without your input.

**Send copies to:**

Leslie Hughes Johnson, ESQ

County of Carroll, Office of the  
Commissioners

Law Office of Leslie H Johnson PLLC 46 Holderness Road PO  
Box 265 Center Sandwich NH 03227  
95 Water Village Road Ossipee NH 03864

**BY ORDER OF THE COURT**

August 16, 2024

(1082)

Abigail Albee  
Clerk of Court

NHJB-2678-Sa (07/01/2018)

This is a Service Document For Case: 211-2024-CV-00187  
Belknap Superior Court  
8/16/2024 9:21 AM

**THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH  
SUPERIOR COURT**

Belknap Superior Court  
64 Court St.  
Laconia NH 03246

Telephone: 1-855-212-1234  
TTY/TDD Relay: (800) 735-2964  
<https://www.courts.nh.gov>

**BJORN BRUCKSHAW  
INSTRUCTIONS FOR SERVICE  
BY THE SHERIFF'S DEPARTMENT**

Case Name: **Bjorn Bruckshaw v County of Carroll, Office of the Commissioners**  
Case Number: **211-2024-CV-00187**

**Instructions for: Bjorn Bruckshaw**

The attached Summons must be sent to the Sheriff's Department for service. Service must be completed on or before **September 30, 2024**.

**Further action is required by you**

**You must:**

- Print two copies of the Summons per defendant
- Print two copies of the Notice to Defendant per defendant
- Print two copies of the Complaint filed with the Court per defendant
- Make two packets for service. Each packet should contain:
  - One Summons
  - One Notice for Defendant
  - One Complaint filed with the Court
- Mail or hand deliver the packets to the Sheriff's Department in the county where each defendant resides.

**Sheriff Departments in New Hampshire:**

Belknap County Sheriff's Department:

Carroll County Sheriff's Department:

Cheshire County Sheriff's Department:

Coos County Sheriff's Department:

Grafton County Sheriff's Department:

Hillsborough County Sheriff's Department:

Merrimack County Sheriff's Department:

Rockingham County Sheriff's Department:

Strafford County Sheriff's Department:

Sullivan County Sheriff's Department:

**\*If one or more of the parties resides out of state, please click here for the requirements\***

Service must be made upon the defendant before **September 30, 2024**.

If the Sheriff is unable to complete service by **September 30, 2024** you will receive a "Notice of Incomplete Service" from the Sheriff's Department. You may request that new paperwork be issued by electronically filing a Request for Documents. There is a fee for this request.

The Sheriff will mail the 'Return of Service' to you. You **MUST** electronically file the 'Return of Service' with the court by **October 21, 2024**.

**If service is not made as directed, no further action will occur and the case may be dismissed by the court.**

BELKNAP, SS. STATE OF NEW HAMPSHIRE SUPERIOR COURT

Mr. Bjorn Bruckshaw  
147 Oak Street  
Laconia, NH 03246  
v.

County of Carroll  
Office of the Commissioners  
d/b/a Carroll County Department of Corrections  
95 Water Village Road  
Ossipee, NH 03864

Docket No. 211-2024-CV-00187

**COMPLAINT AND REQUEST FOR JURY TRIAL**

NOW COMES, Bjorn Bruckshaw, Plaintiff, by and through his attorney, Law Office of Leslie H. Johnson, PLLC, and complains against, County of Carroll, and in support thereof states as follows:

**INTRODUCTION**

**PLAINTIFF REQUESTS A TRIAL BY JURY**

1. Plaintiff, Bjorn Bruckshaw, brings this action pursuant to the statutory and common laws of the State of New Hampshire and the United States, particularly New Hampshire's Law Against Discrimination, RSA 354-A, *et seq.* and the Americans with Disabilities Act (ADA), 42 U.S.C. §12101 *et seq.*, as amended (ADAAA, collectively with RSA 354-A referred to herein as the "ADA"), for disability discrimination, harassment/hostile environment, and for retaliation, both including termination; and also claims for malicious prosecution, abuse of process, defamation, wrongful discharge and whistleblowing. Plaintiff seeks to recover all damages as allowed by law, and all equitable relief to which he is entitled.

## PARTIES

2. Mr. Bjorn Bruckshaw (hereinafter, "Mr. Bruckshaw" or "Plaintiff"), is a resident of Laconia, New Hampshire, and was employed by Defendant Carroll County, as an employee of the Department of Corrections from on or about September 27, 2021 until on or about July 14, 2022, as a Corrections Officer. Mr. Bruckshaw is a person with disabilities who is entitled to protection under the ADA, and also NH RSA 354-A, New Hampshire's Law Against Discrimination.

3. Mr. Bruckshaw is a person with disabilities, a record of disabilities, and perceived by Defendant to have disabilities. His disabilities stem from his service in the Army, Airborne Infantry.

4. Defendant Carroll County operates the Carroll County Department of Corrections, which is overseen by the Carroll County Commissioners. Both the County and Carroll County Department of Corrections will hereinafter be referred to as "Defendant". The current Commissioners are Terry McCarthy, Chair; Chuck McGee, Vice Chair; and, Bill Nelson, Clerk.

5. Defendant is the employer and the covered entity for purposes of RSA 354-A, and the ADA, as it has more than 6/15 employees respectively.

6. Under the theories of *respondeat superior* and/or vicarious liability Defendant is responsible for all actions of its employees, named or unnamed herein, who at all times were acting within the scope of their employment, as well as their failures to act, and are also liable for its own actions and failures to act, including within the Carroll County Department of Corrections.

## JURISDICTION & VENUE

7. Venue and jurisdiction are proper as Mr. Bruckshaw lived in Belknap County at

all times he was employed by Defendant.

8. Mr. Bruckshaw filed a timely Charge of Discrimination with the New Hampshire Commission for Human Rights ("NHCHR") ED(H)(R) 0030-23 / 16D-2023-00034, on November 23, 2022, which he withdrew on May 7, 2024.

9. On May 9, 2024, the EEOC issued its Notice of Right to Sue, which was received on May 13, 2024. This Complaint is filed within 90 days of Plaintiff's receipt of the Notice of Right to Sue, and within three years of the accrual of the stated causes of action.

#### STATEMENT OF FACTS

10. Mr. Bruckshaw was employed by Defendant as a corrections officer from on or about September 27, 2021 until July 14, 2022 when he was wrongfully terminated for discriminatory and retaliatory reasons.

11. Defendant was aware of Mr. Bruckshaw's military service and that he suffered from PTSD due to same, as it was one of the first things Mr. Bruckshaw disclosed to them. Defendant was also aware of many of Mr. Bruckshaw's other medical conditions and disabilities.

12. Despite not being properly trained for his job, because Defendant did not send him to the Academy, Mr. Bruckshaw always performed his job well and had a good working relationship with most of his co-workers.

13. Mr. Bruckshaw's disabilities, some from combat, are PTSD, an injury to his arm (loss 40% use), migraines (once every 1-2 weeks), bilateral knees (bone on bone), tinnitus, and others. These disabilities, singly and/or in combination affect Mr. Bruckshaw by at times substantially limiting him in major life activities, such as performing some manual tasks, lifting, standing, walking, balancing, and thinking.

14. Mr. Bruckshaw was discriminated against, harassed, and/or retaliated against due to his disabilities including, but not limited to, the following listed incidents which are not all inclusive.

15. On or about March 9, 2022, Mr. Bruckshaw called over to control and kept getting hung up on. Because he was getting no response, which is obviously also a safety issue, he walked over to the control room and heard co-workers making fun of his combat injuries, which included Lt. King sitting in the middle of the group laughing. Mr. Bruckshaw's combat injuries were no laughing matter, and to witness Lt. King, who was supposed to be in charge, also making fun of his injuries/disabilities was very troubling to Mr. Bruckshaw.

16. Mr. Bruckshaw reported the incident to Sgt. Bachelder, Mr. Bruckshaw's shift leader, and informed him he was so upset he felt he needed to go home because the incident spiked his PTSD. Lt. King came into the meeting and Mr. Bruckshaw asked him why he did not stop the banter, but instead joined in. Lt. King got very upset and told Mr. Bruckshaw he did not care, and to go home.

17. Shortly after Mr. Bruckshaw reported the March 9, 2022 incident, he was told Defendant was pulling him from becoming the Taser Instructor because he was not "mentally fit" and that his PTSD would make Defendant "look bad".

18. On or about the end of May/beginning of June 2022, Lt. King falsely accused Mr. Bruckshaw of putting inappropriate messages on Officer Mendez's Facebook account; and told everyone he would fire whoever posted the messages. Lt. King then told Mr. Bruckshaw that he knew it was him that made the postings and as soon as he could prove it, Mr. Bruckshaw would be fired. Mr. Bruckshaw did not make the postings.



19. A female inmate kept harassing Mr. Bruckshaw by claiming he was sexually harassing her and telling other inmates to go along with her allegations so they could fire Mr. Bruckshaw. Mr. Bruckshaw reported the incidents, but nothing was ever done.

20. Captain Baker told Mr. Bruckshaw if he has "combat PTSD" that he should not be working for Defendant any longer, that the environment would just make things worse. Ironically, it was not primarily the inmates, but the employees and supervisors who were making things worse.

21. Approximately one week prior to June 11, 2022, Mr. Bruckshaw informed Sgt. Bachelder that an inmate (hereinafter referred to as "Inmate K") kept threatening to kill him. He wrote a note and informed the administration that Inmate K had been threatening him for 3 or 4 weeks. Lt. King told Mr. Bruckshaw to "deal with it" and "suck it up". This was after Mr. Bruckshaw had previously reported the same inmate had tried to put his hands on him.

22. The same week, Mr. Bruckshaw informed Defendant he was not comfortable with the fact the dayroom (jail/segregating) doors stopped working randomly along with the emergency intercom. Lt. King's response to Mr. Bruckshaw was to "go find another job if you're that much of a baby." This complaint also constitutes whistleblowing, as it was an extreme safety issue and believed to be contrary to policies.

23. This situation (doors and radios) had apparently persisted for over one year, and the Lt. and Captain discussed an estimate of \$30,000.00 to fix the problem, but said it was too expensive. This placed all workers, and inmates at risk. When the dayroom doors did not work, the intercom did not work; so if a dayroom door did not work, everyone knew the intercom was not working, so no one could call for help. If the circuit blew a person had to go upstairs and

reset the breakers. This is believed to be why no one could hear Mr. Bruckshaw yelling for help when attacked by Inmate K.

24. That same week Mr. Bruckshaw asked Lt. King if they could talk about his safety concerns, Lt. King replied, "I don't have time for any of your complaints. You need to just do your job." Lt. King also stated, "90% of the complaints I'm dealing with are from you, and I'm sick and tired of it." Mr. Bruckshaw had submitted approximately five complaints, none of which were being addressed, to the best of his knowledge and belief.

25. Given Lt. King refused to address Mr. Bruckshaw's concerns, Mr. Bruckshaw emailed Captain Baker 2-3 times stating he wanted to speak to him with regard to his concerns, but these requests were all ignored.

26. Therefore, Mr. Bruckshaw decided to email the Superintendent requesting to meet about his concerns. A time and date were set to meet; however, the Superintendent failed to show, and when Mr. Bruckshaw emailed him again to reschedule his email was ignored.

27. On or about June 11, 2022, Mr. Bruckshaw was at work in Dayroom 4. All officers had been informed that Superintendent Eldridge required the inmates and officers to wear masks while in the Dayroom. Inmate K came into the Dayroom without a mask on.

28. Mr. Bruckshaw addressed Inmate K and informed him he had to wear a mask while out of his cell. Inmate K refused to wear a mask; therefore, Mr. Bruckshaw brought him back to his cell and informed Inmate K that he must stay in his locked cell until he complied with the mask rule. Mr. Bruckshaw reiterated to Inmate K that all he had to do was put the mask on, however he continued to refuse. Inmate K's response to Mr. Bruckshaw was, "go f... yourself".

29. Mr. Bruckshaw then attempted to shut the cell door; however, Inmate K kicked it wide open. Mr. Bruckshaw told Inmate K if he kicked the door again, he would be locked in for

the day. Mr. Bruckshaw then went to shut the cell door for a second time, and again Inmate K kicked it open.

30. Mr. Bruckshaw therefore went to call for backup; however Inmate K, grabbed his shirt, pulled him into the cell, grabbed his radio and tossed it so Mr. Bruckshaw could not reach it. For approximately 3-4 minutes Inmate K attacked Mr. Bruckshaw while Mr. Bruckshaw attempted to restrain him while yelling for help. With no one being able to hear Mr. Bruckshaw because the intercom system was not working, a common occurrence, he had no means of getting help from the assault by the inmate who had repeatedly threatened to kill him.

31. Mr. Bruckshaw eventually got himself and Inmate K outside of the cell so others, including the nurse, could see the distress he was in. Officer Temple finally came to assist him and radioed for additional assistance.

32. Inmate K continued to be combative, yelling and screaming that he was going to kill Mr. Bruckshaw and "break [his] skinny neck". It took two more officers (a total of four) to finally restrain Inmate K and handcuff him. Inmate K was then taken to be checked out by the nurse who confirmed he had no injuries. However, when Mr. Bruckshaw was checked out by the nurse it was found he had a bite mark on his arm from Inmate K, and was sent to the emergency room.

33. After Mr. Bruckshaw returned from the emergency room, he was informed Inmate K had continued to bang on the cell bars, scream and threaten to kill Mr. Bruckshaw the rest of the day.

34. Inmate K is a violent individual who had also posted an online review against the Manitowoc City Police Department stating, "I hope this corrupt place gets shot up. Disgusting behavior from this PD."

35. On or about June 15, 2022, during Mr. Bruckshaw's next shift after the incident with Inmate K, he was immediately called into Major Bachelder's office, with Lt. King present. Lt. King told him that he was being placed on two weeks' administrative leave for using too much force in restraining Inmate K, and that Defendant would investigate the matter. However, Mr. Bruckshaw saw within the paperwork that it appeared Defendant was also trying to investigate him on numerous other fabricated allegations.

36. Mr. Bruckshaw later learned Defendant told other officers he was being placed on administrative leave before he was even talked to and informed, and that an email was sent out informing everyone if Mr. Bruckshaw came on the property to arrest him. This was highly irregular, and believed to be against policy, as well as highly discriminatory and retaliatory.

37. Approximately 1.5 weeks later, Mr. Bruckshaw was contacted by Lt. King to come in and sign some paperwork. Mr. Bruckshaw stated he wanted a Union Representative and an attorney present. Lt. King replied that was not needed because, "you're only signing paperwork." Mr. Bruckshaw was not comfortable with that response.

38. A few days later Lt. King called Mr. Bruckshaw again, and again Mr. Bruckshaw stated he wanted a Union Representative and an attorney present. A few days later Lt. King called Mr. Bruckshaw for a third time and left a message stating if Mr. Bruckshaw did not contact him by 11:30 am, he would consider him terminated.

39. After retrieving the message, Mr. Bruckshaw returned Lt. King's call shortly after 11:30 am and left a voicemail, with no response. Mr. Bruckshaw thought he may have been terminated.

40. Approximately one week later, Mr. Bruckshaw received a certified letter stating he must report to Defendant for an investigative interview or he would be fired. His return call referenced above had still not been responded to.

41. Pursuant to the directives in the letter, Mr. Bruckshaw went to the interview. He was called into Captain Baker's office with Lt. King and a union representative present, however, the union representative was only allowed to take notes. He was uncomfortable with participating in the investigation since Defendant already told him he would be fired and therefore Defendant's mind was already made up. Lt. King admitted same, but stated, "well you're still being paid".

42. The investigation continued; however, Mr. Bruckshaw was never asked about the bite mark and how it occurred, instead Lt. King phrased all questions trying to blame Mr. Bruckshaw for everything that occurred. It was very clear Defendant had already made up their minds and nothing Mr. Bruckshaw could have said in the interview was going to change things.

43. Approximately five days after the "interview", Mr. Bruckshaw received a certified letter dated July 14, 2022, stating he was terminated and that Defendant was going to press criminal charges against him.

44. Upon information and belief, Defendant sent out an email to all staff informing them Mr. Bruckshaw was no longer employed there. This email was sent prior to Mr. Bruckshaw knowing he was terminated. Furthermore, as it was a personnel matter, it should have been kept private.

45. Upon information and belief Defendant, primarily through Lt. King, did not perform a proper investigation, failing to speak with the nurse who was there and witnessed much of the events, failing to speak with the individual in charge of the security cameras, and

failing to review Inmate K's file, which should have contained prior notes reporting his repeated threats to kill Mr. Bruckshaw. Instead, upon information and belief, Lt. King interviewed Inmate K with leading questions to ascertain answers Lt. King wanted to hear, such as "so he strangled you, correct?"

46. Defendant tried to bring charges against Mr. Bruckshaw with the Sheriff's Department, which declined to prosecute, after having gone to Mr. Bruckshaw's house to interview him. Lt. King got mad when Mr. Bruckshaw told him the Sheriff was not going to charge him.

47. The actions described herein, and as experienced by Mr. Bruckshaw, constituted harassment and retaliation primarily on the basis of his disability, contrary to RSA 354-A, *et seq.* and the ADA, and for complaining about discrimination as well as making complaints that constituted whistleblowing.

48. Mr. Bruckshaw was qualified for his job and was able to perform same without reasonable accommodations.

49. Defendant was hostile towards Mr. Bruckshaw because of his disabilities, and treated him less favorably than others, and held him to a higher standard, not terminating or even substantially investigating multiple employees who actually committed assaults and severe misconduct; for example:

a. Upon information and belief, a female, African American officer had approximately 25-30 write-ups but no disciplinary action or termination. Mr. Bruckshaw was treated differently based upon his disabilities and whistleblowing.

b. On or about January or February 2022, another officer, who did not appear to have disabilities, Officer S., tossed a minority young woman into a cell uncontrollably,

causing the female inmate to smack her head so hard on the ground she may have suffered a concussion. However, there was no investigation, and the officer never got in trouble.

50. After the Sheriff declined to prosecute, because Mr. Bruckshaw was obviously innocent, Defendant did a sham and pretextual investigation of Mr. Bruckshaw's incident with inmate K by an allegedly outside person; however, that person appeared to be personal friends with Superintendent Eldridge, as he was seen going to lunch with him. The result of this investigation was reported to Mr. Bruckshaw by email from HR on November 3, 2022.

51. On the same day Mr. Bruckshaw received the investigation results he received a letter stating he was terminated and was told he was ineligible for rehire.

52. On March 17, 2023, Mr. Bruckshaw was indicted for Second Degree Assault, which was discriminatory, and retaliatory on multiple bases.

53. Upon information and belief, Superintendent Eldridge pulled a paper off the printer or fax machine while in a public area of the office and exclaimed, "Guess who got indicted today!" and then showed those present the paperwork where Mr. Bruckshaw was indicted.

54. On or about June 1, 2023, during his criminal pre-trial conference, the Judge presiding over the hearing viewed the video surveillance of the June 11, 2022 incident, determined there was no assault by Mr. Bruckshaw, dismissed the case, and reprimanded the prosecutor for even bringing the case forward. Bringing the charge also constituted malicious prosecution and abuse of process.

55. Defendant also retaliated against Mr. Bruckshaw because he complained about issues occurring at the facility including the intercom not working and the day room doors not

working properly.

56. Defendant falsely accused Mr. Bruckshaw of criminal actions, when it knew there were no criminal actions by Mr. Bruckshaw. Mr. Bruckshaw believes these frivolous and malicious charges were brought due to discrimination related to his disabilities, and retaliation for complaining about same, as well as whistleblowing, and with the intent to ruin any chances he had to have a career in law enforcement.

57. On July 13, 2022, Mr. Bruckshaw had received an email from a potential employer, notifying him he had been hired for a position as a security guard and that he needed to complete the onboarding process.

58. However, on August 31, 2022, this same employer, after apparently contacting Defendant for a job reference, emailed Mr. Bruckshaw rescinding their offer of employment based on "your ineligibility for rehire with your last employer."

59. Defendant's discrimination and retaliation against Mr. Bruckshaw has made it very difficult, if not impossible, for him to find a regular part time or full time job.

60. Due to being wrongfully terminated as well as the criminal action brought by Defendant, Mr. Bruckshaw's custody of his child has been greatly impacted and continues to be impacted. Mr. Bruckshaw has had to needlessly expend money in attorney fees, as well as stress and anxiety in order to fight for his custody rights, which custodial proceedings would not have been necessary, or greatly reduced in scope, but for Defendant's actions.

61. The actions by Defendant as described herein, and as experienced by Mr. Bruckshaw, were intentional, malicious, done with deliberate indifference, knowing, oppressive, wanton, reckless, negligent and/or grossly negligent.

62. Mr. Bruckshaw claims all damages allowed to him by law including, but not



limited to, general compensatory damages, liberal/enhanced compensatory damages, punitive damages, lost wages and benefits (past and future), damages for emotional distress, embarrassment, humiliation, aggravation, anxiety, medical treatment and expenses, physical pain and suffering, loss of enjoyment of life, loss of reputation, attorney fees (including attorney fees for his custody rights and criminal defense), costs, all pre-judgment interest, and an amount to compensate for any negative tax consequences that result from any judgment or decision.

63. Mr. Bruckshaw also requests all equitable relief to which he may be entitled including, but not limited to, training for Defendant's employees in the laws on harassment, discrimination and retaliation; and discipline and/or termination of the employees who harassed, discriminated and retaliated against him.

**COUNT I**  
**NH RSA 354-A and**  
**AMERICANS WITH DISABILITIES ACT (42 U.S.C. § 12101 et seq.),**  
**as amended (ADAAA)**  
**DISABILITY DISCRIMINATION/HARASSMENT**  
**HOSTILE WORK ENVIRONMENT**

64. Mr. Bruckshaw incorporates herein each and every allegation raised elsewhere in the Complaint as if fully set forth herein and further states as follows:

65. Mr. Bruckshaw asserts that the treatment he received, as described herein, was because of his disabilities.

66. Mr. Bruckshaw was impermissibly discriminated against based on his disabilities, including his termination, and harassed in a manner that was severe and/or pervasive and constituted a hostile environment based on disability, such that no reasonable person would be expected to endure, all contrary to NH RSA 354-A and the ADA.

67. Defendant knew, or should have known, that its actions described herein were illegal. Defendant's actions were contrary to the law and done knowingly, maliciously, with

reckless indifference and were egregious and wanton, thus justifying an award of enhanced/liberal compensatory damages.

68. Mr. Bruckshaw claims the disability discrimination/harassment and hostile work environment, with termination, has caused him damages as set forth herein.

69. Mr. Bruckshaw claims all damages allowed by law, and all equitable relief to which he is entitled.

**COUNT II**  
**RETALIATION**  
**NH RSA 354-A, et seq. and the ADA**

70. Mr. Bruckshaw incorporates herein each and every allegation elsewhere in the Complaint as if fully set forth herein, and further states as follows:

71. Mr. Bruckshaw was retaliated against for his complaints of harassment and discrimination, as described above, including false criminal charges, actions resulting in his assault, and his termination, which was contrary to NH RSA 354-A, et seq. and the ADA.

72. As a result of the retaliation, Mr. Bruckshaw has suffered the damages as alleged herein.

73. Mr. Bruckshaw claims all damages allowed by law, and all equitable relief to which he is entitled.

**COUNT III**  
**NH RSA 275-E, ET SEQ.**  
**WHISTLEBLOWER'S PROTECTION ACT**

74. Mr. Bruckshaw incorporates herein each and every allegation elsewhere in the Complaint as if fully set forth herein, and further states as follows:

75. Mr. Bruckshaw reported what he believed were serious violations of the law, rules and regulations by Defendant including safety issues and discrimination, as set forth above.

76. Defendant violated RSA 275-B et seq., including but not limited to RSA 275-B:2, as Defendant harassed, abused, intimidated, and/or threatened Mr. Bruckshaw in the terms, conditions, location, and/or privileges of employment, including his assault, and false criminal charges, as well as his wrongful discharge.

77. As a result of Defendant's violation of the Whistleblower's Protection Act Mr. Bruckshaw has suffered damages as described elsewhere herein.

78. Mr. Bruckshaw claims all damages allowed by law, and all equitable relief to which he is entitled.

#### COUNT IV WRONGFUL DISCHARGE

79. Mr. Bruckshaw incorporates herein each and every allegation raised elsewhere in the Complaint as if fully set forth herein and further states as follows:

80. As encouraged by public policies, Mr. Bruckshaw reported various violations of laws, rules, and regulations to Defendant as described above, including safety issues, and discrimination, which violated the ADA and 354-A.

81. As a result of his complaints, Mr. Bruckshaw was harassed and retaliated against, and the terms and conditions of his employment were affected, which included his assault, wrongful prosecution, and his termination.

82. Mr. Bruckshaw claims said wrongful discharge has caused him damages as set forth herein.

83. Mr. Bruckshaw also claims all damages as allowed by law, and all equitable relief to which he is entitled.

**COUNT V  
MALICIOUS PROSECUTION**

84. Mr. Bruckshaw incorporates herein each and every allegation raised elsewhere in the Complaint as if fully set forth herein and further states as follows:

85. As described above, Defendant maliciously prosecuted Mr. Bruckshaw by filing a criminal complaint for actions which they knew were unfounded.

86. Defendant made a false criminal complaint, regarding Mr. Bruckshaw's conduct on June 11, 2022, while Mr. Bruckshaw was trying to subdue Inmate K who was attacking him, and had repeatedly threatened to kill him.

87. Defendant's prosecution of Mr. Bruckshaw constitutes malicious prosecution, as the charges were obviously false, and arose out of malicious, oppressive and/or wanton motivations of Defendant, as described herein.

88. Defendant's arrest of Mr. Bruckshaw was apparently against the Carroll County Sheriff's Department's advice as outlined above, and yet they still pursued it.

89. Defendant's motivations were not for a lawful prosecution, but to prohibit Mr. Bruckshaw from his livelihood as a corrections officer, and as a pretense for terminating him, a person with disabilities from combat, for which they had expressed disdain and that he should not be working there. Said arrest and prosecution also has impeded Mr. Bruckshaw from pursuing other employment.

90. Defendant's actions as described herein have caused Mr. Bruckshaw damages which are within the jurisdictional limits of this Court, as described elsewhere herein.

91. Mr. Bruckshaw claims all damages as allowed by law and all equitable relief to which he is entitled.

**COUNT VI  
ABUSE OF PROCESS**

92. Mr. Bruckshaw incorporates herein each and every allegation raised elsewhere in the Complaint as if fully set forth herein and further states as follows:

93. As noted just above, Defendant's arrest and threats to Mr. Bruckshaw constitute malicious prosecution.

94. In addition, Defendant used its criminal allegations as a way to harass and retaliate against Mr. Bruckshaw for his disabilities and whistleblowing and involved law enforcement, which is not a proper exercise of police authority.

95. The purpose of the prosecution was improper: it was to terminate Mr. Bruckshaw from employment, and to further discriminate against him, knowing that his reputation and ability to find work would be severely impacted.

96. Defendant also knew that Mr. Bruckshaw had PTSD, had a clean record, was an Army combat Veteran, and likely took his reputation seriously and would be scarred by being arrested and prosecuted; they did not care as evident from them having repeatedly mocked his service and disabilities.

97. Defendant's actions as described herein have caused Mr. Bruckshaw damages which are within the jurisdictional limits of this Court, as described elsewhere herein.

98. Mr. Bruckshaw claims all damages as allowed by law and all equitable relief to which he is entitled.

**COUNT VII  
DEFAMATION**

99. Mr. Bruckshaw incorporates herein each and every allegation raised elsewhere in the Complaint as if fully set forth herein and further states as follows:

100. Defendant's reports to anyone that Mr. Bruckshaw's actions were criminal was known to be false by them, and done with malicious and other bad motives as described elsewhere herein.

101. There is no immunity or privilege for knowingly making a false report to law enforcement, whether verbally or in writing.

102. Said defamatory material was then repeated to others including, but not limited to, the grand jury, county attorney, potentially newspapers, and otherwise republished, all for which Defendant is responsible.

103. Said false reporting and allegations are defamation *per se*, as it accused Mr. Bruckshaw of a crime.

104. Said allegations were done maliciously, knowingly and wilfully as they were known by them to be false, and they were done for the aforesaid improper purposes.

105. Said statements were false and intended to attack Mr. Bruckshaw and lower him in the esteem of the community, which they did, causing damage to his reputation and preventing him from securing other employment.

106. Defendant is liable for its defamation of Mr. Bruckshaw, and for all republication by others.

106. Defendant's actions as described herein have caused Mr. Bruckshaw damages which are within the jurisdictional limits of this Court, as described elsewhere herein.

107. Mr. Bruckshaw claims all damages as allowed by law and all equitable relief to which he is entitled.

WHEREFORE, Mr. Bruckshaw respectfully prays this Honorable Court and/or a jury order the following relief against Defendants, as requested above under each count:

- A. Back wages, together with lost fringe benefits and any other benefits, including increased retirement benefits, which Mr. Bruckshaw would have earned had he not been terminated;
- B. Future wages, fringe benefits, loss of earning capacity and other benefits;
- C. Compensatory damages;
- D. Enhanced/liberal compensatory damages;
- E. Punitive damages;
- F. An amount to be awarded by the Court to make up for any adverse tax consequences due to any judgment or award;
- G. All damages which are available under the above-cited laws and the common law;
- H. All available pre-judgment and post-judgment interest;
- I. Reasonable attorneys' fees, interest and costs;
- J. All damages as set forth above; and
- K. Such other and further relief as is just and equitable.

Respectfully submitted,  
BJORN BRUCKSHAW, Plaintiff  
By his attorney

Dated: August 9, 2024

/s/ LESLIE H. JOHNSON  
Leslie H. Johnson, Esquire - #5545  
LAW OFFICE OF LESLIE H. JOHNSON, PLLC  
PO Box 265  
Center Sandwich NH 03227  
603.284.6600  
leslie@lesliejohnsonlaw.com

## EXHIBIT 2

To The Notice Of Removal Filed With The  
U.S. District Court For The District Of New Hampshire



SUPERIOR COURT

**BJORN BRUCKSHAW**  
Plaintiff

**v.**

COUNTY OF CARROLL,  
OFFICE OF THE COMMISSIONERS  
Defendant

Case Number 211-2024-CV-00187

**NOTICE TO COUNSEL OF FILING OF**  
**NOTICE OF REMOVAL TO FEDERAL DISTRICT COURT**

PLEASE TAKE NOTICE that the Defendant, County of Carroll, Office of the Commissioners, did, on October 24, 2024, file in the United States District Court for the District of New Hampshire the attached Notice of Removal (Exhibit #1). Pursuant to 28 U.S.C. §1446(d), this Court “shall proceed no further unless and until the case is remanded.” By this pleading, the Defendant further requests that this Court prepare a certified copy of the complete record in this case for transmittal to the United States District Court for the District of New Hampshire.

Respectfully submitted,  
County of Carroll, Office of the Commissioners

By its Attorney,

**Dated: October 24, 2024**

/s/ Thomas M. Closson  
Thomas M. Closson, Esq.  
NH Bar #9966  
Thomas M. Closson, Attorney At Law, PLLC  
379 Amherst Street, Suite #2  
PMB #231  
Nashua, New Hampshire 03063  
603-759-6614  
Thomas.closson@nhlaborlaw.com

**CERTIFICATE OF SERVICE**

I hereby certify that on this day a copy of this pleading was electronically filed with the Court and served via U.S. Mail and electronic mail on the following counsel of record:

Leslie H. Johnson, Esq.  
Law Office of Leslie H. Johnson PLLC  
46 Holderness Road  
PO Box 265  
Center Sandwich, New Hampshire 03864  
leslie@lesliejohnsonlaw.com

Dated: October 24, 2024

/s/ Thomas M. Closson  
Thomas M. Closson, Esq.  
NH Bar #9966

## EXHIBIT 3

To The Notice Of Removal Filed With The  
U.S. District Court For The District Of New Hampshire



**CERTIFICATE OF SERVICE**

I hereby certify that on this day a copy of this pleading was electronically filed with the Court and served via U.S. Mail and electronic mail on the following counsel of record:

Leslie H. Johnson, Esq.  
Law Office of Leslie H. Johnson PLLC  
46 Holderness Road  
PO Box 265  
Center Sandwich, New Hampshire 03864  
leslie@lesliejohnsonlaw.com

Dated: October 24, 2024

/s/ Thomas M. Closson  
Thomas M. Closson, Esq.  
NH Bar #9966

## EXHIBIT 4

To The Notice Of Removal Filed With The  
U.S. District Court For The District Of New Hampshire

JS 44 (Rev. 03/24)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Bjorn Bruckshaw

(b) County of Residence of First Listed Plaintiff Belknap County  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Leslie H. Johnson, Law Offices of Leslie H. Johnson,  
PLLC, 46 Holderness Rd., PO Box 265, Center  
Sandwich, NH 03864 (603) 284-6600

**DEFENDANTS**

County of Carroll, Office of the Commissioners

County of Residence of First Listed Defendant Carroll County  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Thomas M. Closson, Thomas M. Closson, Attorney At Law,  
PLLC, 379 Amherst St., Suite 2, PMB 231, Nashua, NH  
03063 (603) 759-6614

**II. BASIS OF JURISDICTION (Place an "X" in One Box Only)**

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)**

- |   |                            |                            |   |                            |                            |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
|   | PTF                        | DEF                        |   | PTF                        | DEF                        |
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT (Place an "X" in One Box Only)**

Click here for: Nature of Suit Code Descriptions.

<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans' Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <input type="checkbox"/> 700 Fair Labor Standards Act <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <input type="checkbox"/> 861 HIA (13950) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deposition <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
---	--	--	---	---	--

**V. ORIGIN (Place an "X" in One Box Only)**

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
42 USC 12101

Brief description of cause:  
Alleged violation of the ADA.

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See Instructions):

JUDGE

DOCKET NUMBER

DATE

October 24, 2024

SIGNATURE OF ATTORNEY OF RECORD

/s/ Thomas M. Closson

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE